

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 03-
	:	
v.	:	DATE FILED:
	:	
PERCELLA ROPER	:	VIOLATIONS:
	:	29 U.S.C. § 501(c) (Embezzlement of funds
	:	of a labor organization – 1 count)
	:	18 U.S.C. § 2 (Aiding and Abetting)

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this Information:

The Union

1. The Transport Workers Union, AFL-CIO, Local 234 (TWU Local 234) was a “labor organization” engaged in activities affecting interstate commerce within the meaning of Title 29, United States Code, Sections 402(i)-(j) with approximately 5,000 members and represented employees of the Southeastern Pennsylvania Transit Authority (SEPTA), Upper Darby Township, Access Paratransit, and Edens Paratransit (employers), all of whom were employed in Philadelphia and other locations in the Eastern District of Pennsylvania.

2. TWU Local 234 received income from members in the form of union dues, initiation fees, and rent from the Transport Workers Credit Union (Credit Union), which leased space from TWU Local 234 in its offices at 2233 Spring Garden Street, in Philadelphia, Pennsylvania. Employers paid union dues by deduction from members’ paychecks and periodically submitted dues payments to TWU Local 234 in a lump sum.

3. TWU Local 234 maintained a political action fund, known as the Committee on Political Education Fund (COPE), that was used to make political contributions and for political education activities for the members. Contributions were made to the COPE fund by employers by voluntary deductions from employee paychecks. Employers made periodic lump sum contributions to the COPE fund.

4. TWU Local 234 had officers, among others, President, Vice President, Secretary-Treasurer, Recording Secretary, and employees, including but not limited to a bookkeeper and other clerical staff.

5. TWU Local 234 clerical staff were members of a separate union, the Office Professional Employee International Union (OPEIU), whose dues were to be deducted by TWU Local 234 from their paychecks and remitted to the OPEIU.

6. As a benefit to TWU Local 234 officers and clerical staff, TWU Local 234 permitted officers and clerical staff to arrange for TWU Local 234 to make deductions from their paychecks and directly to deposit the funds into accounts held by the officers and clerical staff at the Credit Union. TWU Local 234 periodically made lump sum deposits at the Credit Union on behalf of all of its officers and employees, which were submitted with transmittal slips indicating to the Credit Union how the sums should be allocated to individual accounts and in what amounts.

7. In at least 1997, 1999, and 2000, TWU Local 234 held picnics for its members. To attend the picnics, members purchased tickets from officers and other representatives of TWU Local 234. The picnics also were funded through contributions from persons or businesses

having dealings with TWU Local 234 members. Cash from ticket sales and other contributions ultimately were received by an officer of TWU Local 234 known to the United States Attorney.

The Defendant

8. From in or about 1973 until on or about April 1, 2001, defendant PERCELLA ROPER was the bookkeeper for TWU Local 234. As such, she was a clerical employee of TWU Local 234 and was a dues-paying member of OPEIU. In that capacity, ROPER had the following duties:

- a. keeping the financial books and records of TWU Local 234, including accurately recording receipts and disbursements of funds;
- b. preparing checks to pay for union expenses, subject to approval and signature by a union officer;
- c. providing information used to prepare union officer and employee payroll;
- d. depositing, and preparing deposit slips for, union funds at TWU Local 234's accounts at First Union Bank;
- e. preparing Credit Union transmittal slips, described above, allocating deposits to individual accounts and specifying the amounts of the deposits, based on the officers' and employees' payroll deductions for Credit Union savings accounts.

The Embezzlement

9. From on or about January 1, 1998 through on or about March 22, 2001, defendant PERCELLA ROPER embezzled approximately \$50,058 from TWU Local 234 by depositing that amount in her Credit Union account from TWU Local 234 funds without having

those monies deducted from her pay. Defendant ROPER falsified the books and records of TWU Local 234 so that those books and records reflected that ROPER reimbursed TWU Local 234 for the deposits to her Credit Union account, knowing that she had not reimbursed the union for those deposits.

10. From on or about January 1, 1998 through on or about March 22, 2001, defendant PERCELLA ROPER embezzled approximately \$2,458 from TWU Local 234 by using TWU Local 234 funds to pay for OPEIU dues for herself and other clerical employees known to the United States Attorney without authorization from TWU Local 234 to pay such dues. Defendant ROPER falsified the books and records of TWU Local 234 so that those books and records reflected that ROPER and other clerical employees reimbursed TWU Local 234 for the OPEIU dues, knowing that she and the other employees had not reimbursed the union for those deposits.

11. From on or about January 1, 1998 through in or about January 2001, defendant PERCELLA ROPER assisted an officer of TWU Local 234, known to the United States Attorney, to embezzle approximately \$26,935 in cash receipts and contributions from the TWU Local 234 picnics held in or about 1999 and 2000. Defendant ROPER falsified the books and records of TWU Local 234 so that those books and records reflected the deposit of the picnic funds in TWU Local 234's First Union Bank account, knowing that the picnic funds had not been deposited.

12. From on or about January 1, 1998 through in or about January 2001, defendant PERCELLA ROPER assisted an officer of TWU Local 234, known to the United States Attorney, to embezzle approximately \$18,681 in cash receipts for the sales of TWU Local 234 clothing. Defendant ROPER falsified the books and records of TWU Local 234 so that those

books and records reflected the deposit of the funds from the clothing sales in TWU Local 234's First Union Bank account, knowing that the funds had not been deposited.

13. To further the embezzlement described above, defendant PERCELLA ROPER falsified the books and records of TWU Local 234 by disguising the source of deposits into TWU Local 234's First Union Bank account. Defendant ROPER made deposits of COPE funds, employer dues and initiation fees, and Credit Union rent payments into TWU Local 234's First Union bank account that she falsely recorded in TWU Local 234's books and records as having come from reimbursements for Credit Union deposits, reimbursement for payment of OPEIU dues, picnic funds, and clothing sales.

14. From on or about January 1, 1998 through on or about March 22, 2001, in the Eastern District of Pennsylvania, defendant

PERCELLA ROPER

while an employee, that is, the bookkeeper, of TWU Local 234, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to her own use and the use of others, and aided and abetted the same, the monies and funds of TWU Local 234 in the amount of approximately \$98,132.

All in violation of Title 29, United States Code, Section 501(c) and Title 18, United States Code, Section 2.

PATRICK L. MEEHAN
United States Attorney